

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KIMO C. GOMEZ,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 1:22-cv-00770-DAD-AC

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(Doc. Nos. 16, 20, 27)

Plaintiff Kimo C. Gomez, proceeding with counsel, brings this action seeking judicial review of the Commissioner of Social Security's final decision denying plaintiff's application for benefits under the Social Security Act. (Doc. No. 1.) The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On October 16, 2023, the assigned magistrate judge issued findings and recommendations recommending that plaintiff's motion for summary judgment (Doc. No. 16) be granted, that defendant's cross-motion for summary judgment (Doc. No. 20) be denied, and that the matter be remanded to the Commissioner for further proceedings. (Doc. No. 27.) The findings and recommendations were served on the parties and contained notice that any objections thereto were to be filed within twenty-one (21) days after service. (*Id.* at 15.) To date, no objections to the findings and recommendations have been filed, and the time in which to do so has now passed.

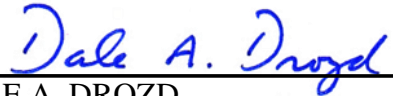
1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
2 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the
3 findings and recommendations are supported by the record and by proper analysis.

4 Accordingly:

- 5 1. The findings and recommendations issued on October 16, 2023 (Doc. No. 27) are
6 adopted in full;
- 7 2. Plaintiff's motion for summary judgment (Doc. No. 16) is granted;
- 8 3. Defendant's cross-motion for summary judgment (Doc. No. 20) is denied;
- 9 4. This matter is remanded to the Commissioner for further proceedings consistent
10 with the findings and recommendations issued on October 16, 2023 (Doc. No. 27);
11 and
- 12 5. The Clerk of the Court is directed to close this case.

13 IT IS SO ORDERED.

14 Dated: **December 20, 2023**

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16 DALE A. DROZD
17 UNITED STATES DISTRICT JUDGE
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